



KINGSTON ZONING BOARD OF ADJUSTMENT

March 14, 2019

Present:

Electra Alessio
Larry Greenbaum
Peter Coffin
Richard Johnson
Chuck Hart

Chairperson Alessio called the meeting to order at 7:00.

Board Business –

Minutes of December 13, 2018 Approval – Mr. Coffin made a motion to approve the minutes, Mr. Hart seconded. Motion carried unanimously. Ms. Alessio stated she would accept nominations for Chair and Vice Chair. Mr. Coffin nominated Ms. Alessio as Chair Mr. Hart seconded all in favor. Ms. Alessio nominated Mr. Greenbaum as Vice Chair Mr. Hart seconded all in favor.

Public Hearings

**James Dufresne
Diamond Oaks Golf Club, LLC
PO Box 175
Kingston, NH 03848**

**#7 Route 125, Kingston, NH
Tax Map R-3, Lot 4 and 4LU3**

Charlie Zilch from SEC and Randy Carter of the Veterans Outreach Program introduced themselves. Mr. Zilch provided a package addressing the criteria and a map to the board. Ms. Alessio provided a letter from the Planning Board to the applicant. Mr. Zilch briefly outlined the project per the letter dated January 30, 2019 included in the application. Mr. Zilch stated the use is only limited by the setback restriction. Mr. Carter stated there is a need for housing for Veterans. Mr. Carter stated they had just opened 21 units for homeless vets and have a waiting list for 300. Mr. Carter stated

the need is especially for 55 and older, and NH does not have a lot of social services. Renee Speitel asked if the community well at the clubhouse would support the additional use. Ms. Speitel asked if it would be for veterans only and if the applicant could ensure no children. Ms. Alessio asked if children and or grandchildren could visit in their 55+ community. Ms. Speitel answered yes. Mr. Zilch stated the plan was for 7 1 bedroom apartments designed for one person or a couple – no school age children. Mr. Zilch stated there would not be a lot of sewage flow and the community well could support a restaurant without issue. Mr. Zilch stated it would be for only 55 and older and marketed toward Veterans. Phil Coombs stated there would be an enforcement issue; HOA can keep track thru purchases, but if they are rentals and not state mandated, it's nice to say but not enforceable. Kathy Maceachern asked if it was for Vets or 55+, if it would be subsidized or section 8 housing. Ms. Maceachern asked if the renters would have cars and where would the renters be when they were outside. Ms. Maceachern stated they have issues with the soccer people trespassing. Mr. Zilch stated the occupants would enjoy the benefits of the golf course, they could provide other recreation but there was plenty on site. Mr. Hart suggested showing on the plans displayed where parking would be. Mr. Zilch did so and explained. Duane Brown questioned the physical and mental health of the Vets coming in, and asked if there would be people there to attend the residents. Mr. Brown stated there are problems with PTSD and that he would "not want that kind of thing". Mr. Brown asked if renters would be vetted as far as physical and mental health. Mr. Carter stated part of his job is to evaluate the applicants. Mr. Carter stated they are Vets and the PTSD statement was unfair and that they have staff on call 24 hours a day. Mr. Greenbaum stated he had looked over the site and the big open area would be conducive to use, with a less significant impact. Mr. Greenbaum asked if the property would be sprinkled. Mr. Zilch stated it would be sprinkled. Ms. Alessio stated she was not in favor of this use, it had nothing to do with Vets, although there is no guarantee it would be rented to Vets. Ms. Alessio stated there is so little commercial property in Kingston, a residential use made no sense. Ms. Alessio stated she was not convinced that having more residential units in C3 zone was a good idea. Mr. Coffin stated that this property zone was changed by warrant to accommodate the 55+ community, and he agreed with the Chair that this may not be the best use. Mr. Coffin stated he would like to see the property used for Vets but if a unit became available it would be difficult to enforce the preference going to a Veteran. Ms. Alessio stated it would be nice to have more affordable housing, but Kingston does meet the standard. Mr. Hart asked if the intent was to be low income. Ms. Alessio stated it would not be Section 8 but 1 bedroom would dictate the price. Mr. Hart stated the traffic flow for 7 apartments would be considerably less than a restaurant. Ms. Alessio agreed and countered that a restaurant would mean jobs and revenue in a C3 zone. Mr. Zilch asked if the board was interested in visiting the site, and it would give them an opportunity to get a more solid answer on how to make Vets the tenants. Three board members had already visited the site. Mr. Carter stated Veterans Outreach would be leasing the apartments. Ms. Alessio stated it was very hard to say no to Vets but that she had to look at it from a business side, Kingston has limited C3 and that she will feel bad for the residents of the 55+ community if more

commercial business goes in, but not that bad. Ms. Alessio stated taxes will continue to go up unless we bring more commercial business to Kingston. Mr. Zilch asked to consult with his client. The board reviewed the responses to the 5 criteria provided by Mr. Zilch. Mr. Zilch stated they had not done a satisfactory job answering the board's questions and asked for a continuance. After some discussion Mr. Hart made a motion to continue the hearing till April 11th. Mr. Johnson seconded, all in favor. Ms. Alessio noted that she would post as a legal notice but would not be issuing abutters notices.

Scott Martin
15 Old Coach Road
Kingston, NH 03848

Tax Map R-11, Lot 7

Scott Martin and his wife Jean introduced themselves, Mr. Martin stated the purpose of the ADU is for his folk that were elderly and not doing well. Ms. Alessio stated the issue was that the property is located in the C3 zone. Mr. Martin stated it was changed in 2005, he has lived there for 25 years, and it was not C3 when the home was built. Mr. Martin stated the lot is 1.1 acres he doesn't believe it could support the uses listed under C3. Mr. Greenbaum asked where the ADU would be built. Mr. Martin stated behind the current building, roughly 600 square feet, off set slightly. Ms. Alessio stated a drawing had been given to Mr. Steward. Mr. Coffin asked if there was any frontage on Rt. 125. Mr. Martin answered no. Mr. Coffin stated the area was clearly residential and the use is preexisting, and may be continued and expanded under the ordinance. A discussion followed regarding if a vote was required. Ms. Alessio stated that Mr. Steward's letter stated the ADU meets all requirements and a letter from Mr. Broderick was included in the application. Mr. Martin stated the existing leech field was rated for a 5 bedroom home and their home was 3 bedroom. The 5 criteria were voted on, all 5 passed unanimously. Mr. Coffin made a motion to grant the variance, Mr. Hart seconded, all in favor. Ms. Alessio explained the 30 day waiting period.

Meeting adjourned at 8:00

Respectfully submitted,
Tammy Bakie